

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:10-CV-00022-RLV-DSC**

NEW NGC, INC.,

Plaintiff,

v.

ACE AMERICAN INSURANCE
COMPANY, ET AL.,

Defendants.

ORDER

BEFORE THE COURT is the parties' status report and request for additional time to finalize settlement agreements. (Doc. 156).

On March 25, 2016, the parties filed a Joint Status Report in accordance with the Court's prior order. (Doc. 154). The prior order indicated that "[t]he Court has already granted numerous extensions of time. The parties should demonstrate good cause and identify exactly what was done to progress this matter during this month if they intend to seek another extension." *Id.*

It is clear that NGC and ACE have demonstrated good cause. Prior Status Reports indicated that these litigants intended to file a stipulation that would preserve NGC's appellate rights. (Doc. 154). During the preceding month, NGC and ACE have reached a settlement in principle and believe that the agreement can be formalized and executed within the next thirty days. (Doc. 156).

The previous Status Report indicated that NGC and National Union agreed to material terms of settlement and anticipated that a final settlement agreement would be executed within the next thirty days. (Doc. 154). Thirty days has passed. NGC and National Union indicate that drafts

of a formal written agreement have been exchanged between the parties. NGC and National Union anticipate that the agreement will be executed within the next two weeks.

If NGC and ACE request an additional extension, they should demonstrate good cause and identify exactly what was done to progress this matter during this month if they intend to seek another extension.

The Court anticipates that NGC and National Union will have (1) executed the settlement agreement and (2) filed a stipulation of dismissal on or before April 29, 2016. If this is not done, the Court will consider calendaring a Status Conference in the United States District Court, Western District of North Carolina, Statesville Division. Counsel and a representative of each party will be required to attend the Status Conference in person.

The Court hereby **GRANTS** the request for additional time and **ORDERS** the parties to file a Status Report by no later than **April 29, 2016**.

SO ORDERED.

Signed: April 5, 2016

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

